Mike Pyatt, Corn Products International vice president, described the co-generation plant as a "win-win" situation. "Our large use of steam makes electrical co-generation the best economic choice," Pyatt said. "Now, rather than releasing the heat directly into the atmosphere, the heat from the generators will be used in our industrial processes at the Corn Products Argo facility."

Groundbreaking for the plant is scheduled for next summer.

Corn Products, one of the world's largest corn refiners, produces food ingredients and industrial products derived from the wet milling and processing of corn and other starch-based materials. Madison, Wis.-based Alliant Energy Corp., the parent of Alliant Energy Resources Inc., provides electric, natural gas, water and steam services to more than 2 million customers worldwide.

Shares of Corn Products closed Monday at $25.12 on the New York Stock Exchange, down 12 cents. Shares of Alliant Energy Corp. fell 87 cents, to $27.75, on the NYSE.

Two new peakers planned for Waukegan lakefront $100 million:

By Long Hwa-shu
STAFF WRITER
The News Sun
5/19/00

Former ComEd site targeted

WAUKEGAN -- Midwest Generation of Chicago, owner of the former ComEd coal-fired generating plant in Waukegan, said Thursday it plans to invest $100 million for two new peaker plants at the 195-acre lakefront complex.

"Our purpose to build the peakers is to meet energy demand on the hottest days when the demands are the highest," said John Long, company vice president.

The company hopes to have the peakers operational by June 2001.

ComEd was beset last summer with blackouts when its equipment and generating capacity failed to meet the peak demands. The shutdown of its Zion nuclear plant is expected to make matters worse. Midwest Generation sells its output mostly to ComEd.

The coal-fired generating plant off Greenwood Avenue on Waukegan's lakefront already had four peakers when Midwest Generation acquired it Dec. 15, 1999. The existing, jet-fuel-powered peakers became operational between 1969 and 1971. Their total generating capacity is 92 megawatts.

The new peakers Midwest Generation plans to put in are modern versions that use modified jet turbine engines with a combined output of 300 megawatts. They are gas-fired and are more environmentally friendly. They can fire up to their generating capacity quickly, usually in about 10 minutes.

While peakers are generally used to meet peak power demands, Long acknowledged that the new peakers may well be used year-round to boost the plant's output. The Waukegan coal-fired generating plant with three units have a total capacity of 789 megawatts.

"It costs too much to expand the coal-fired generating plant," said Long, noting that peakers are
more economical.

"We plan to apply for a permit from the Illinois Environmental Protection Agency for the peakers
tomorrow (today)," said Doug McFarlan, Midwest Generation's vice president for public affairs.

McFarlan and Long were in Waukegan Thursday to meet with Mayor Bill Durkin about applying
for a city building permit for the peakers.

Apparently mindful of the controversy swirling around a proposed peaker plant in Libertyville,
Midwest Generation said it plans to hold a town meeting in Waukegan this summer to explain to residents about the peakers.

"We want to be a responsible citizen," said McFarlan, adding, however, that no date has been set for the meeting.

He stressed that since its takeover of the Waukegan plant, Midwest Generation has cut down on nitrogen oxide emissions from the plant by more than half – from around 0.35 to less than .15 pounds per million BTUs.

Nitrogen oxide, created during the combustion process when coal is burned, can contribute to the formation of ozone and smog. The reduction, the company said, is the result of pollution control equipment it has installed.

Midwest Generation said it will have spent $12.5 million on pollution control before the project to reduce pollution is completed.

The Waukegan plant was acquired along with six other Illinois coal-generating plants in a $4.8 billion transaction last December. Midwest Generation is a subsidiary of the publicly-traded Edison International of Risemead, Calif.

In addition to these plants, it also operates a generating plant in western Pennsylvania.

"We're already making money, but not as much as would like to," said McFarlan of the 5-month-old Midwest Generation.

ILLINOIS POWER RIPPED ON COMPETITION GOALS
ICC CITES FIRM'S LACK OF CONTRACT FLEXIBILITY

By Janet Kidd Stewart, Tribune Staff Writer.
Published.- Wednesday, March 22, 2000
Section.- Business, Chicago Tribune
Page.- I

Nearly six months into deregulation in the Illinois electric industry, state regulators on Tuesday blasted Illinois Power Co. on its performance.

At an open meeting on the status of the 1997 legislation setting up competition, Illinois Commerce Commission Chairman Richard Mathias called Illinois Power's performance "totally unacceptable." He added: "Competition appears to be occurring at Commonwealth Edison and it's basically non-existent at Illinois Power."

Mathias also read a letter from a dissatisfied corporate customer and criticized Illinois Power for its zeal in enforcing termination provisions of service agreements.

David W. Butts, Illinois Power's chief operating officer, said many of the issues regulators brought up Tuesday are already being addressed. The company, he said, has retrained its staff to better handle inquiries from businesses about how they would be affected by a competitive electric program, for example.

In an open letter to Illinois Power President Larry Altenbaumer, Mathias said several alternative electric suppliers and customers have complained that the company does not have the systems and procedures in place to process applications for alternative service or to answer requests from customers for basic information.

"Illinois Power appears to be the only major incumbent Illinois electric utility that insists on strictly enforcing the termination provisions of standard electric service agreements ... many of which were entered into prior to any choice of an electric supplier being available," Mathias wrote. "It is time Illinois Power Co. allowed electric competition in its service territory."

Butts countered that part of the reason only three Illinois businesses have chosen an alternative provider under deregulation is that wholesale prices have risen dramatically, making alternative programs less attractive to customers. And he strongly denied the company is trying to thwart competition.

Officials for consumer watchdog Citizens Utility Board said they were pleased that ICC officials are taking a critical view of Illinois Power's progress, but they called on regulators to look even harder at other issues.

For example, despite strong praise by commissioners for Commonwealth Edison's deregulation strategy, ComEd's small business customers aren't switching to alternative providers, said Rob Kelter, an attorney for CUB.

"Even the few ComEd customers that have switched have switched to Unicom Energy," said Kelter, referring to the competitive energy unit of ComEd parent Unicom. "But it's important that the commission let it be known it's not going to stand for companies doing bureaucratic things that hold up competition."

Among other complaints, Mathias and other commissioners called Butts onto the carpet for not doing a better job of informing customers of what their rates would be under new competitive programs. He lauded ComEd for providing customers an easy way out of lengthy service contracts if they wanted to switch carriers, while Illinois Power, he said, held customers to those contracts.

The open meeting covered a broad range of topics regarding competition for business customers and is part of an overall review of the 1997 deregulation bill.

Gas-fired power plants could become an industry strength

Sunday, March 19, 2000
By Kevin Carmody
Special to The Star

In late 1998, a year after Illinois legislators agreed to deregulate the electric industry, Chicago natural gas supplier Peoples Energy leaped into the electricity business by announcing it would build a gas-fired power plant south of Joliet near Elwood.

Such moves are no longer so novel.

Now, less than 18 months later, developers large and small have sought state permits for 23 new gas-fired power plants in the Chicago metropolitan area alone and more than 40 statewide. Six of those, including the Elwood plant that opened last July, are on Chicago's South Side or in the South and Southwest Suburbs.

A plant in Manhattan is under construction and another Peoples plant on Chicago's Southeast Side has the necessary permits from the Illinois Environmental Protection Agency. Other companies are seeking IEPA permits for power plants near Lake Calumet and in Crete and University Park.

The official list doesn't include recently announced projects, such as two proposed in Chicago Heights alone, that have yet to apply to the IEPA for construction permits. Nor does it count Northwest Indiana projects, such as the plant NiSource Inc. plans to build at the BP Amoco refinery in Whiting.

This proliferation of power plants is being driven by the potential for huge profit margins in a deregulated marketplace, and the prospect that the superheated economy in the Chicago region and other urban centers will keep energy demand rising.

"The Chicago area has a rapid-fire economy, and there is a need for more generating capacity," said Mike John, spokesman for Wisconsin Power, which plans to convert Chicago's former Calumet Incinerator into a gas power plant.

"The average U.S. power plant was built in the 1960s. Yes, they were built to last, but there is much better technology on the market that uses fuel far more efficiently."

The trend also is proving a shock for homeowners who are learning their new neighbor will be generating power by the megawatt.

Last July, the McHenry County Board voted down a plan to construct a $90 million power plant near Woodstock, following an outcry from residents. In most communities, however, the extra tax revenues make the projects hard to turn away.

The plants range in cost from tens of millions to nearly $300 million, depending on generating capacity. Although plants require fewer than 10 permanent employees, they create hundreds of temporary construction jobs.

Also, environmental activists and utility industry officials note that most of the proposed plants are not the gargantuan facilities that utilities used to build and are far less polluting than most coal plants. That also means the smoke stacks can be less than half as tall.

In Elwood, residents living near the plant noticed extra noise during construction, but have no complaints since the plant became operational, said Sara O'Connell, who lives on Brandon Road, several hundred yards from the plant.

"We haven't heard a thing, noticed anything different," she said.

The new gas turbines being used in the plants produce about one-tenth the amount of smog-producing nitrogen oxides than coal-fired plants produce to generate the same amount of energy, according to the IEPA's Dennis McMurray.

The state's existing fossil-fuel power plants emit 124,000 tons of nitrogen oxides annually. Even if all the proposed gas-fired plants are built, they would add about 10,000 pounds of nitrogen oxides annually, McMurray said.

That doesn't count the mercury and extra particle pollution generated by coal. However, under stricter proposed federal rules for reducing nitrogen oxide emissions, both coal and gas-fired power plants will need extra pollution controls or to buy pollution credits, McMurray said.

The builder of the 600-megawatt Elwood plant, Peoples Energy, also is planning a 270-megawatt plant on Chicago's Southeast Side near the Indiana state line. It is proposing to double the capacity at the Elwood plant, and expects to build a total of up to 1,000 megawatts of new gas-fired plants in Illinois, said spokesman Luis Diaz-Perez. Most large nuclear power plants generate about 1,000 to 1,200 megawatts of power.

Deregulation of electricity, which has been approved in 24 states, is the primary force behind the construction boom. Deregulation means competition, and companies are in a race to see who can build a new generation of efficient gas-fired plants.

Nationwide, the number of announced, independent power-plant projects stands at about 260, and it more than doubled between October 1998 and October 1999, according to the Electric Power Supply Association.

In a deregulated market, these independent power producers can sell power, at highly profitable rates, to established utilities such as Commonwealth Edison when utilities need it most on hot summer and cold winter days.

Or they can sell power directly to industrial and even residential customers - using the power lines of established utilities or building lines directly to nearby industrial customers. (Large customers like industries and office buildings might be able to get lower rates by connecting directly to a nearby power plant, but proximity is not likely to benefit residential customers. Their power will continue to travel, for a fee, over existing utility lines, even if they buy electricity from alternative suppliers on the open market.)

During the mid 1990s, the uncertainty about deregulation prompted many electric utilities to delay construction of power plants. But in a booming economy, the need for energy has grown, resulting in shortages such as those ComEd customers experienced in the summer of 1998 when most of ComEd's nuclear plants were out of service.

The North American Electric Reliability Council projects the Chicago region will need about 8,200 megawatts of additional power by 2005. That equals the output of about eight nuclear power plants.

Utilities are not likely to invest in multi-billion dollar nuclear and coal-fired plants. So they and others are turning to the gas plants.

Some of the proposed plants are as small as 20 or 30 megawatts, while the $150 million Manhattan project, one of the largest, will use eight turbines to produce 664 megawatts. The expansion of the Elwood plants - to 1,200 megawatts and eight turbines - will cost $240 million and make it the largest facility of its type in the state.

The majority of the new projects are so-called "peaker" plants, which are designed to be started quickly and supply power during periods of peak demand, such as hot summer days when air conditioning use is widespread. The peakers are simple-cycle plants that run their turbines directly with natural gas.

Ten of the 42 plants proposed statewide are "base-load" plants, which are designed to run around the clock and provide a continuous stream of power. These combined-cycle plants cost more to build, because they use the gas to produce steam, which in turn is used to spin the turbines that generate electricity. They also require a significant water supply and an environmentally safe way to discharge heated cooling water.

Although more expensive to build, the combined-cycle plants produce more energy per unit of natural gas burned.

But in today's energy market, even the peaker plants can be run for long periods at a profit, as long as they remain within their state and local permit. The Manhattan plant being built by Houston-based Enron is permitted to run for 26,000 hours annually, meaning it could run three of the eight turbines year round or all its turbines 37 percent of the time.

"When people hear a plant will run during peak demand, some might think it's only on the eight or 12 hottest days of the year," John said. "It's actually more likely to be 20 to 40 weeks a year. Companies ought to be up-front about their plans."

Some Manhattan-area residents believe that Enron has been anything but up-front about its plans, including the plant's likely level of operation. Also, after securing local approval, the company convinced the village board to change the community's comprehensive plan, creating an industrial zone around the power plant.

That would allow Enron to sell power directly to future industries, making a larger profit by bypassing the use of ComEd transmission lines.

There is nothing inherently wrong with profit or a power plant, residents say, but the industrial zone would abut Prairie Creek and runoff could damage the pristine stream that flows into the nearby Midewin National Tallgrass Prairie.

Residents say their concerns about Enron, which has a checkered reputation on environment and human rights in the Third World, appear to have foundation. Even the company's choice of a site, driven by the proximity to ComEd transmission lines, may have been flawed.

Skilled workers on the construction project report that the concrete pads for the turbines have sunk three inches into the muddy soils, workers have had to dismantle at least one of the smoke stacks, and supply problems have forced electricians to use low-grade materials and cables.

The muddy conditions at the site, which are occurring despite below-normal rainfall, could be due to poor site preparation, including the wholesale removal of drainage tiles that had channeled water through an adjacent wetland, said neighboring resident Mary Pat Holtschlag.

Holtschlag said Enron project manager Fred Mitro ducked questions about those issues, claiming ignorance during a recent public meeting. Mitro and an Enron spokesman did not return phones calls Friday afternoon.

Homeowners who are dead set against sharing their community with a power plant might find some solace in the opinion, shared by most energy industry observers, that most of the plants proposed today will never be built.

Indeck Energy Services has three plants awaiting IEPA permits, but only has enough turbines to build one plant, McMurray said. "We don't expect all of the proposed plants will be built."

New gas-fired turbines are in short supply, with companies having to wait years in some cases for delivery of new orders. Also, at some point, financing is likely to dry up.

"The expectation is that 10 to 12 percent of the announced plants will be built," John said. "Only the strongest proposals will move forward."

DOMINION COULD DOUBLE ITS 600-MW GAS-FIRED PROJECT NEAR CHICAGO

Global Power Report
3/3/00

Illinois' first merchant power plant, a 600-MW, gas-fired facility near Chicago being developed by Dominion Resources and Peoples Energy, could also become the largest in the state if a planned 600-MW expansion unveiled in late February moves forward.

The joint venture partners placed their Elwood Energy LLC peaking plant in service in July 1999. If everything goes as planned, the plant will be generating 1,200 MW of electricity during the summer of 2001, in time to meet peak summer demand.

Installation of four General Electric, 150-MW, simple cycle, gas-fired turbines is expected to
begin this summer at the Elwood site.

Dominion and Peoples plan to split the cost of the $230-million expansion.

Although the new generating capacity is expected to be merchant, a spokesman for Richmond,
Va. - based Dominion said "if we can get the output booked, we'll certainly consider that."

The Elwood plant is adjacent to several interstate natural gas pipelines and a high-capacity
Commonwealth Edison transmission corridor that provides delivery to Midwest power markets.

The 600-MW expansion represents the next phase of a total planned development of up to 3,100
MW of simple-cycle and combined-cycle generation by Dominion.

Exhibit C

$3.4 Billion Securitization Issuance Proceeds

ICC Docket 98-0319

Use of Funds

($M)

$3,400.0	**: Total Funds Disbursed as of 03/15/00**		
	Series	**Principal ($M)**	**Premium ($M)**
Underwriting Fees and Debt Discount			
		$17.4	**$0.0**
Equity Investment in ComEd Funding, LLC			
		$17.0	**$0.0**

Short-Term Debt			
Commercial Paper		500.0	-
Total Short-Term Debt		**$500.0**	**$0.0**
Long-Term Debt			
First Mortgage Bonds (FMB's)	22	100.0	0.3
First Mortgage Bonds (FMB's)	25	100.0	1.1
First Mortgage Bonds (FMB's)	26	125.0	1.5
First Mortgage Bonds (FMB's)	35	180.0	3.3
First Mortgage Bonds (FMB's)	77	100.0	5.2
First Mortgage Bonds (FMB's)	79	125.0	7.2
First Mortgage Bonds (FMB's)	73	82.7	3.8
	74	146.6	12.8

Total FMB's		**$959.3**	**$35.2**
Sinking Fund Debentures			
Sinking Fund Debentures	1	2.0	0.0
	1	56.0	0.6
Total Sinking Fund Debentures		**$58.0**	**$0.6**
Medium Term Notes			
Medium Term Notes	3023	13.0	0.0
Medium Term Notes	3022	5.0	0.0
Medium Term Notes	3024	2.0	0.0
Medium Term Notes	3025	1.5	0.0
Medium Term Notes	3030	10.0	0.0
Medium Term Notes	3026	33.0	0.0
	3028	16.0	0.0
Total Medium Term Notes		**$80.5**	**$0.0**

Seaway		3.6	0.0
Total Other Long-Term Debt		**$3.6**	**$0.0**
Total Long-Term Debt		**$1,101.4**	**$35.8**
Preference Stock			
Preference Stock	$1.90	106.2	1.1
Preference Stock	$2.00	51.5	0.5
Preference Stock	$1.96	52.4	1.8
Preference Stock	$7.24	74.3	1.4
Preference Stock	$8.40	74.2	1.6
Preference Stock	$8.38	73.6	1.6
Preference Stock	$8.20	14.4	0.1

Preference Stock				
Preference Stock	$8.40	23.8		0.4
Preference Stock	$8.85	18.8		0.2
Preference Stock	$9.25	45.0		1.3
	$2.425	72.6		2.4
Total Preference Stock		**$606.8**		**$12.4**
Common Stock				
Forward Purchase Contract				
Equity Buyback		940.6		0.0
Small Shareholder Program		153.1	#	0.0
		10.1		0.0
Total Common Stock		**$1,103.8**		**$0.0**
Expenses/Fees				
Issuance				
Debt Redemption				4.7
				0.1

Equity Redemption			
Qtrly Asset Management Fee			0.2
Total Expenses/Fees			0.4
			$5.4
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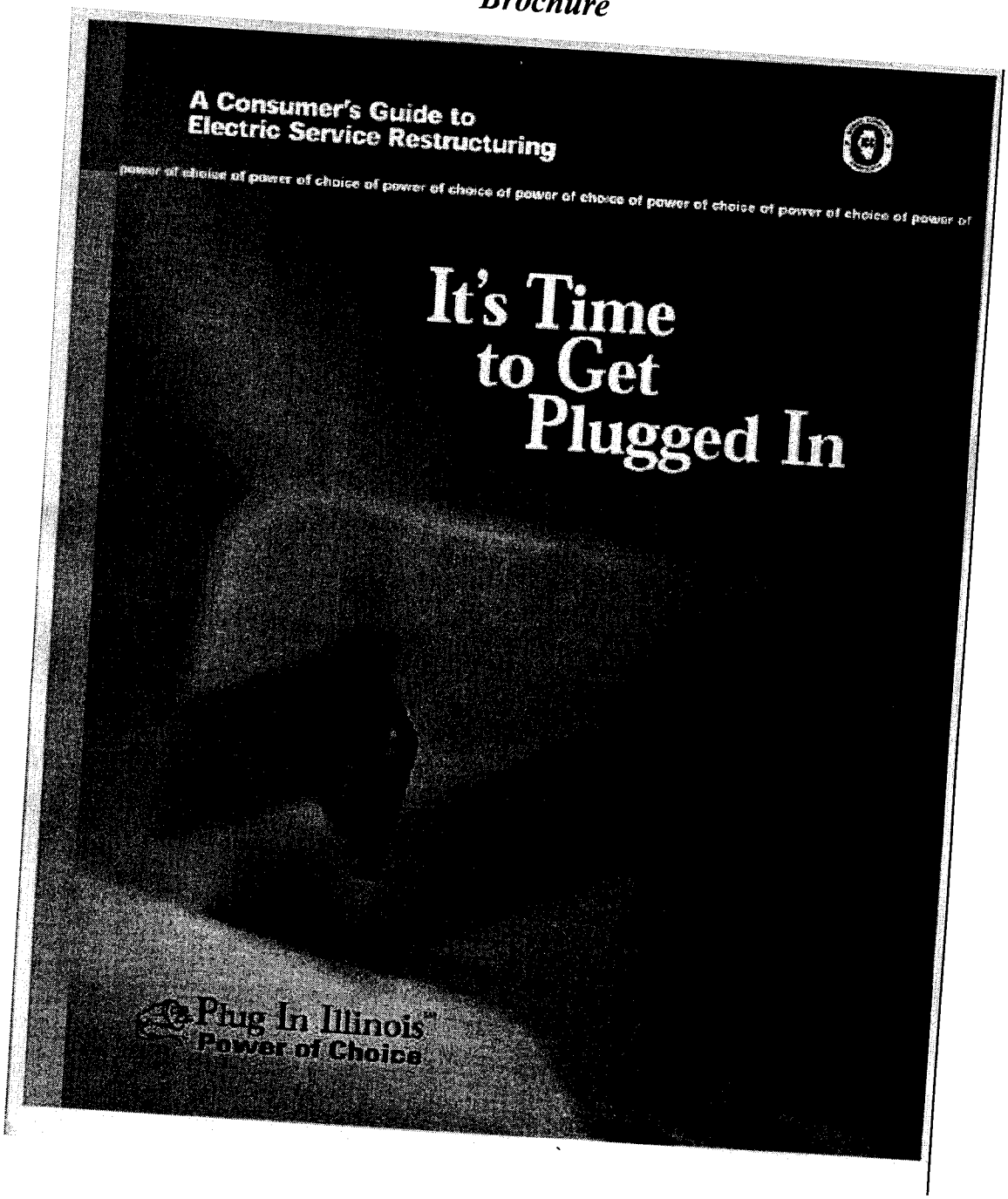
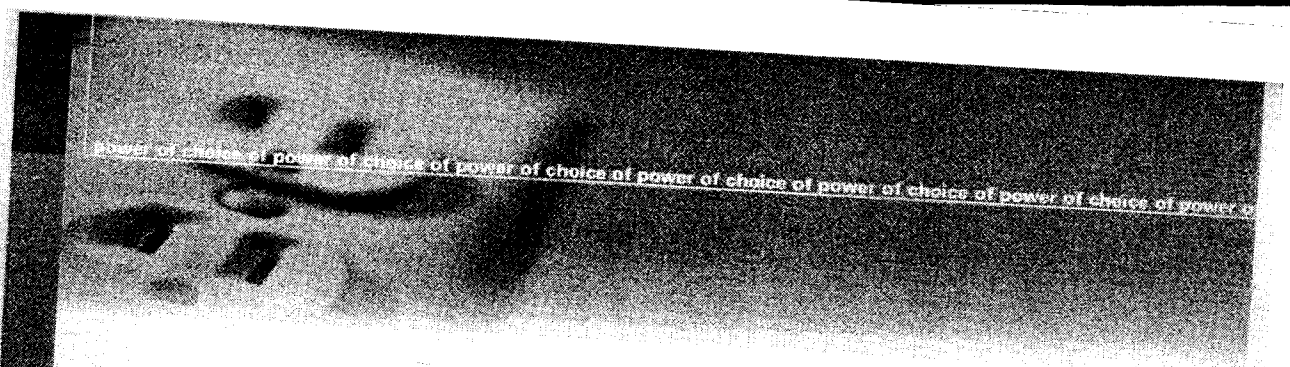
Should Equal Securitization Proceeds Spreadsheet	**3,408.6**		
Disbursements from Interest Income			
General Purpose			
Medium Term Notes		23.5	
		19.5	
		$43.0	

EXHIBIT B
Plug In Illinois Informational Packet
Brochure

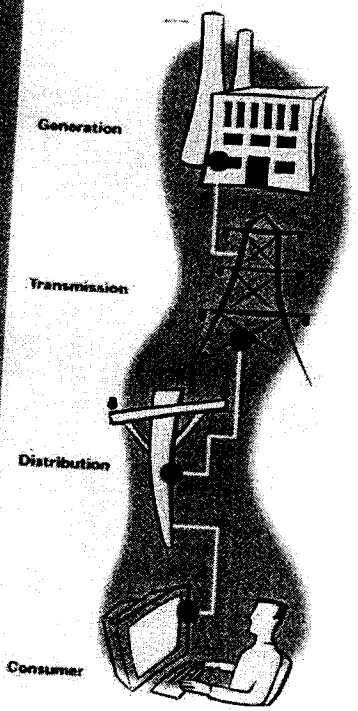




Plug In Illinois℠
Power of Choice

A Consumer's Guide to Electric Service Restructuring

The Illinois Electric Service Customer Choice and Rate Relief Law of 1997 restructures the state's electric utility industry and offers customers choices and competitive prices. The Illinois Commerce Commission (ICC) has developed this guide to help you understand the restructuring process and what the power of choice can offer you.



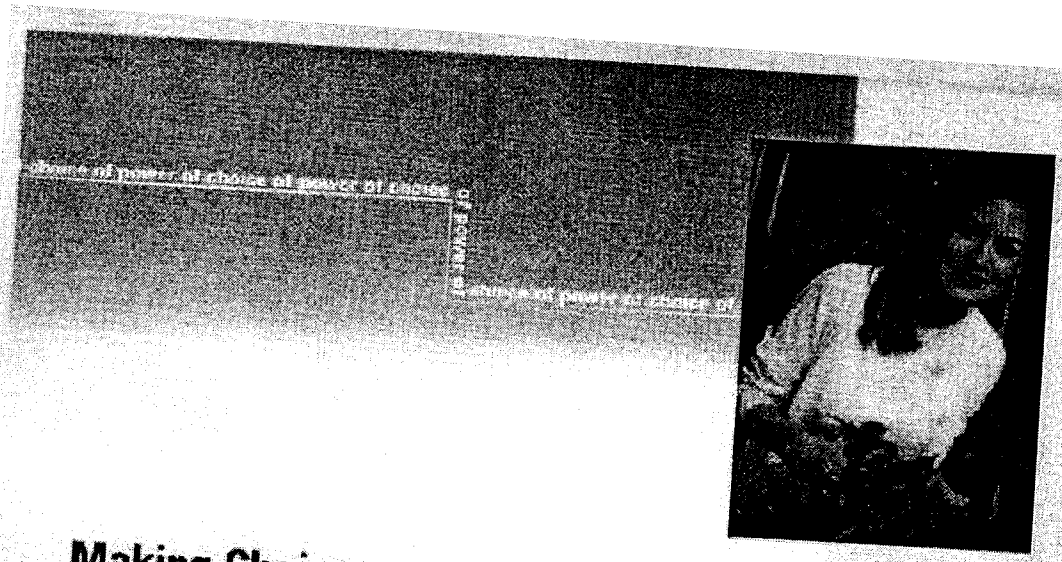
Restructuring the Illinois Electric Service Industry

How does the electric system work? There are three steps to getting electricity: **generation** (production of electricity), **transmission** (sending high voltage power to distribution points), and **distribution** (delivering power to your business or home).

What is changing? Illinois is establishing a competitive market for electric service and the generation portion is opening to choice. Yet, unless you choose differently, your current electric company will continue to handle all three steps.

What will I be choosing? You will choose who provides the generation portion. Power will be sold not only by your current electric utility company but also by other electric utilities and alternative retail electric suppliers (ARES).

What remains the same? Your current electric utility company remains responsible for delivering electricity. The current electric utility company must provide reliable delivery service even if you choose a new supplier.



Making Choices

Why would I want to choose? Electric restructuring empowers customers to choose who supplies the generation portion of electric service. The supplier can be the current electric utility or another supplier. You may choose the company that supplies your electric generation based on your own needs and preferences. Those may include how or where the electricity is produced, economic or environmental support, the lowest price or total cost or the best combination of prices, services and incentives.

Do I have to make a change? No. You may choose to change suppliers or do nothing and remain with your current electric utility. Regardless of which company you choose to generate electricity, your current electric company remains responsible for delivering your electricity and providing reliable delivery service.

How do I change suppliers? After you sign an agreement with another supplier, that new supplier will notify your current utility.

If I change suppliers, will my current electric utility treat me differently? The electric utility company cannot discriminate based on who supplies your generation. It must deliver electricity to eligible customers regardless of their electricity suppliers. The ICC must review and approve any charges, terms, and conditions for delivery services.

If I stay with my utility company, will anything change? You will continue to receive the same service as you do now.

Will I save money? That depends. You'll need to compare prices and charges for changing suppliers.

Will everyone have the opportunity to choose electric suppliers? By May 2002 all electric customers of Illinois investor-owned utilities will have an opportunity to choose electric suppliers. Electric co-ops and municipal systems may elect to enter the competitive marketplace to offer their customers choice, but they are not required to participate.

Plug In Illinois™ Power of Choice | For more information, visit our web site at www.ioc.state.il.us/plugInIllinois

Phased-in Schedule

When can I make a choice?

The law provides for a phased-in schedule for customer choice.

October 1, 1999

- Non-residential retail customers that meet the following requirements will be able to choose their electric supplier:
  1) All customers with average electric demand of 4 megawatts and greater;
  2) Commonly owned commercial customers who operate 10 or more sites which total at least 9.5 megawatts of demand;
  3) Non-governmental, non-residential customers under common ownership may participate in a separate lottery which the process ensures that 33% of their consumption may exercise choice;
  4) One-third of remaining non-residential customers selected through a lottery approved by the ICC.

June/October 2001

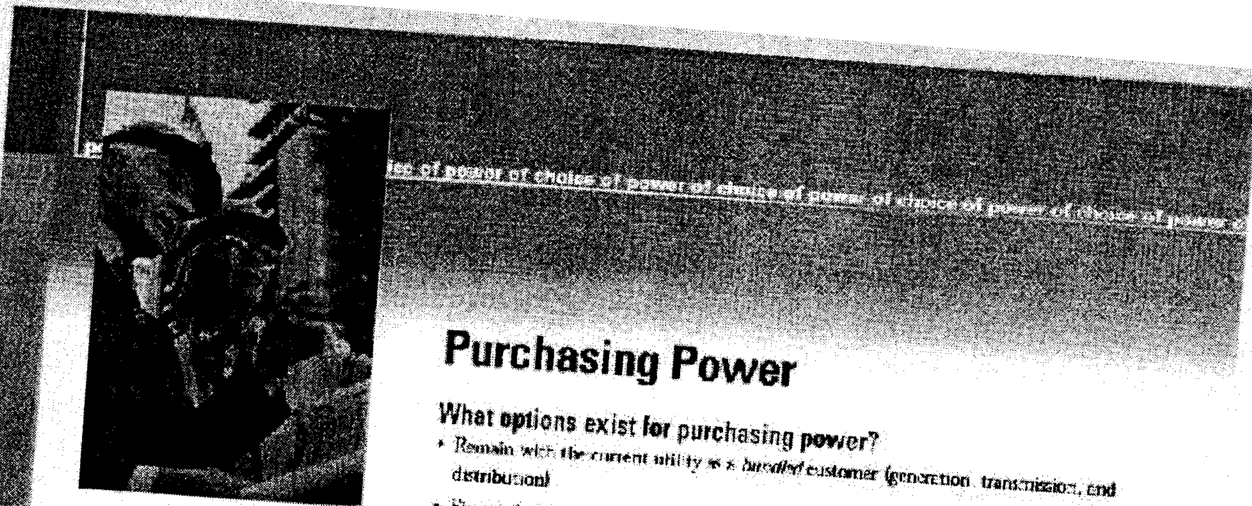
- Choice of electric service suppliers is phased in for certain Central Industrial Manufacturing customers.

December 31, 2000

- All remaining non-residential customers in the service area.

May 1, 2002

- All residential customers with a service plan.



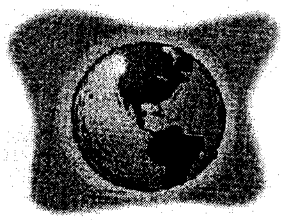
Purchasing Power

What options exist for purchasing power?

- Remain with the current utility as a *bundled* customer (generation, transmission, and distribution)
- Elect to become a *delivery services customer* (As a delivery services customer you may purchase the generation portion of your electricity from another electric utility, from an ARES, or from the current utility by exercising the *power purchase option*.)

Who may be marketing power?

- ARES
- Aggregators, or group buyers
- Utilities, selling outside their service areas



Energy Sources

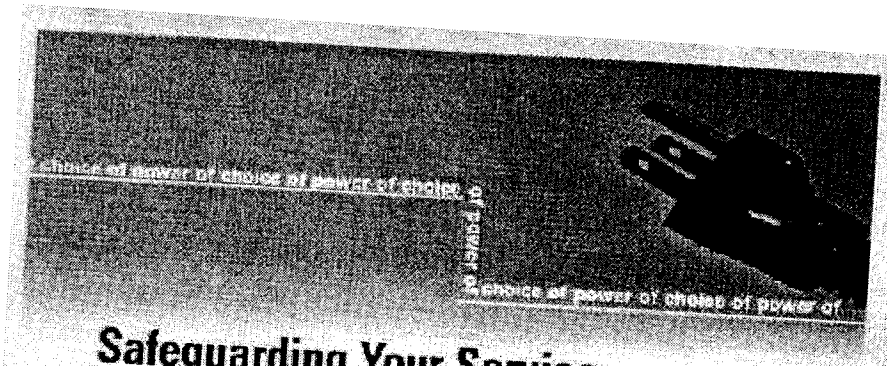
Coal, hydro, natural gas, nuclear, oil, solar, wind, and other resources are used to generate electricity. If you are interested in purchasing environmentally friendly energy, ask suppliers what percentage of their energy mix is generated by renewable resources. As part of the billing process, electric suppliers must also include, on a quarterly basis, the known sources of electricity and the amounts of carbon dioxide, nitrous oxide, sulfur dioxide emissions and nuclear waste attributable to the known electricity sources.

Billing

How will I be billed? If you choose to become a delivery services customer, expect changes in how you are billed. You may receive one bill from the new supplier, or you may receive separate bills — one from the electric supplier and one from the local utility company that delivers electricity to you.

The charges on an electric bill could include:

- **Generation charge** for producing electricity.
- **Delivery service charges** for distribution service provided by the electric utility company to keep the transmission and distribution systems functioning so customers can receive electric service.
- **Transition charge** for costs incurred by the local utility prior to restructuring may be charged through the transition period (December 2006).
- **Customer charge**, which is a basic service charge to partially cover the costs of billing, meter reading, equipment and service line maintenance.



Safeguarding Your Service

What safeguards have been built into the new system to protect customers?

- Electric suppliers must obtain written authorization from customers before switching their service from another supplier.
- Marketing materials that disclose the prices, terms and conditions of the products or services offered or sold to the customer must be accurate.
- ARES must be certified by the ICC. Lists of suppliers are available from the utility and ICC. See the ICC web site www.icc.state.il.us/pluginillinois for a complete listing.
- If an electric supplier or local utility fails to provide promised service, the law permits you to file a complaint with the ICC (800) 524-0795 and/or the Illinois Attorney General (312) 814-3000 (Northern Illinois) or (217) 782-1090 (Central and Southern Illinois).
- The ICC will monitor the marketplace and publish on its web site the names of companies that fail to provide service in accordance with the terms of their contracts.

Customer Rights

- **Unauthorized switching of suppliers.** The law prohibits switching customers without written authorization.
- **Terms of service.** Before beginning to provide service, a supplier must provide a terms of service statement detailing charges, length of the contract, process for notification regarding changes in terms of service and a toll-free number to call.
- **Access to billing data.** Customers or authorized agents are entitled to obtain their billing and usage data from the current electric utility upon request but may be required to pay a reasonable fee.
- **Customer service call center.** All electric utilities and alternative suppliers are required to provide a customer service call center where consumers can receive assistance and information.

Key Terms

Aggregation. An entity that brings customers together to buy electricity in bulk in order to increase customers' buying power. Aggregators facilitate the sale of power but usually are not sellers. Aggregators are defined as ARES only when they sell electricity.

Alternative retail electric supplier (ARES). Any person, corporation, generator, broker, marketer, aggregator or other entity, except an electric utility, certified by the ICC that sells electricity to customers.

Bundled Service. Full service, including generation, transmission and distribution.

Delivery services. Services provided by the local electric utility, including standard metering and billing, that are necessary for the delivery of power to customers.

Distribution. The use of wires by the local utility to deliver electricity to a home or business. These services include standard metering.

Electric Utility. An entity that provides electric power generation and delivery services within a local service area and also may sell generation services to customers in other utility service territories.

Generation. The act of changing other forms of energy, such as fossil fuels, nuclear or renewable energy, into electricity.

Kilowatt or kW. The standard unit of measure of electric demand.

Kilowatt-hour or kWh. The standard unit of measure of electricity consumed.

Power Purchase Option (PPO). Eligible customers will be offered an option to purchase power from the current electric utility at market-based prices.

Small commercial retail customer. A nonresidential retail customer that consumes 15,000 kilowatt-hours or less of electricity annually.

Transition charge. The transition charge covers costs incurred by the local utility prior to restructuring and may be charged through the transition period (December 2006).

Transmission. The delivery of electricity from a generating facility to local utility distribution facilities, typically over high voltage power lines.

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How do I determine the right choice for my business?

Now you know what electric service restructuring is about and how it empowers you to make a choice. Using the following guidelines can help you make an informed decision. Remember to weigh all factors just as you do when selecting any vendor for your business.

Determine your energy needs

Consider the following information about your electricity usage:

- ☐ Review your electric bills for the past year. Rates and usage can vary over a 12 month period.
- ☐ How much electricity do you use?
- ☐ What are the rates for your electric service? Do the rates change depending on the time of day or year?
- ☐ If you are not familiar with the terms and conditions of your current utility service, ask your utility for a customer information booklet.

Review your supplier options

- ☐ **Bundled Utility Service**

  You may decide not to make a change and continue your present service with the electric utility.

- ☐ **Delivery Services**

  - **Utility As Generation Supplier *(Power Purchase Option)***

    The law requires electric utilities to offer delivery services customers the option to purchase electric power from the electric utility at a market based price. Your utility can provide information about this option.

  - **Another Generation Supplier**

    You may choose another electric utility or an ARES as your source of electric power.

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Checklist for choosing a supplier

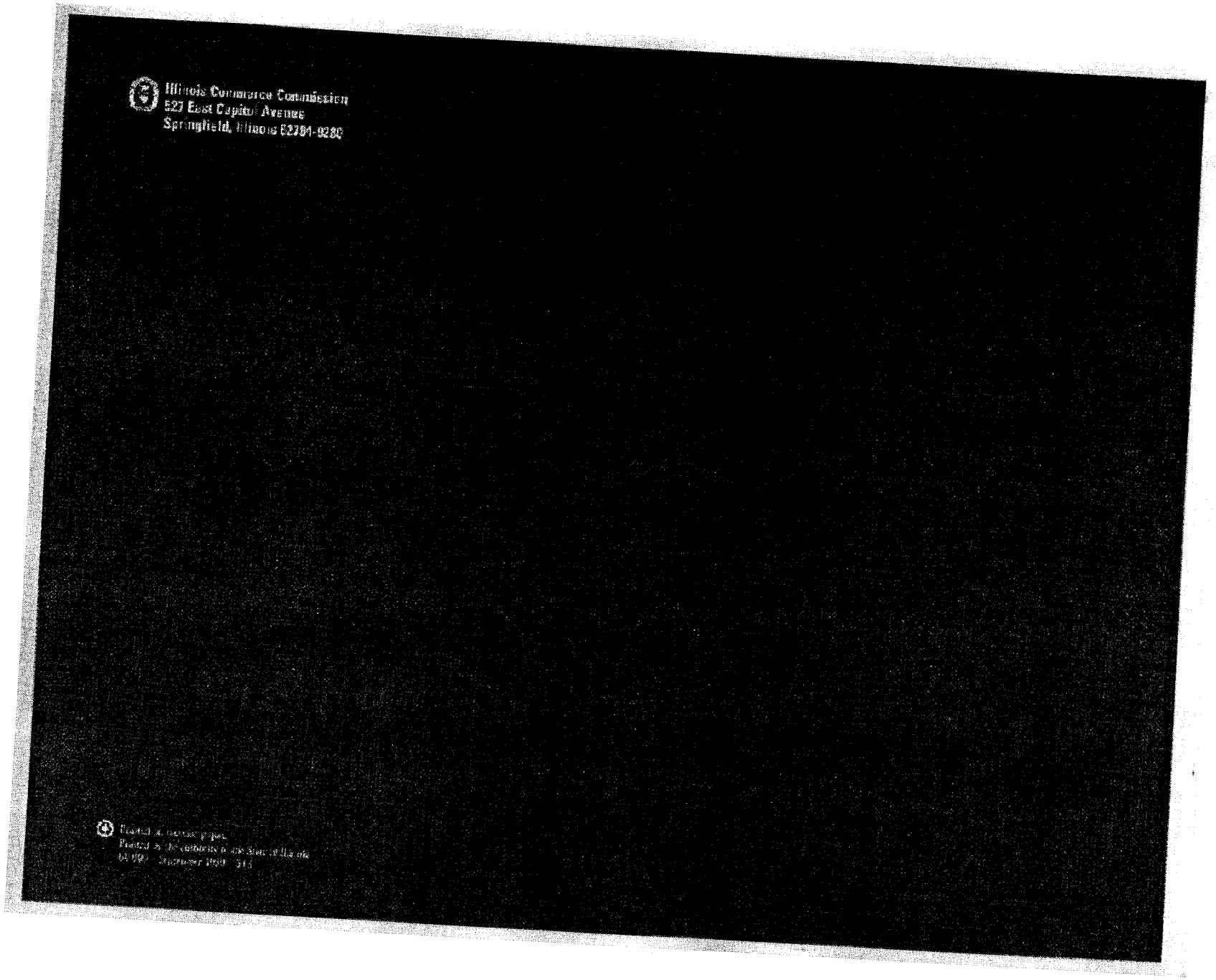
Some questions to ask before choosing a supplier.

- ☐ Has the supplier been granted a certificate of service authority by the ICC?
- ☐ What is the length of the agreement? What are the terms of the agreement?
- ☐ Will the price offered by the supplier remain the same throughout the length of the contract? Are taxes included in the supplier's price for generation supply?
- ☐ Is there a penalty for canceling an agreement before the term expires?
- ☐ What steps must you take to switch suppliers?
- ☐ Are there restrictions on how much electricity you use and when you use it?
- ☐ Is time of use pricing offered?
- ☐ Is the supplier's price per kilowatt-hour the only charge, or are other fees involved?
- ☐ Am I buying firm or interruptible electric service?
- ☐ Is there a basic or limited service rate that is less expensive?
- ☐ How will I be billed?
- ☐ What fuels will be used to generate the power that I will buy? How do the supplier's power sources affect the environment?
- ☐ Are there any customer services, special programs, or incentives that are part of the supplier's power package of services?

The Consumer Fraud and Deceptive Business Practices Act enables consumers to register a complaint regarding their electric service provider by contacting the Attorney General at (312) 814-3000 in Chicago (Northern Illinois) or (217) 782-1090 in Springfield (Central and Southern Illinois). Customers may also file a complaint with the Illinois Commerce Commission at (800) 524-0795.

Thank you for taking the time to learn about how the Electric Service Customer Choice and Rate Relief Law of 1997 is restructuring the Illinois electric service industry and the power of choice it gives you. If you would like more information about electric restructuring, please visit the Illinois Commerce Commission's web site at www.icc.state.il.us/pluginillinois or call toll-free at (877) 758-4454/(800) 858-9277 (TTY).

Plug In Illinois™
Power of Choice


Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701-1827

Plug In Illinois®
Power of Choice

It's time to get plugged in!

Know Your Options

Choices, competitive prices, and new services – that's what the Illinois Electric Service Customer Choice and Rate Relief Law is designed to offer customers. Soon all Illinois businesses will have the power to choose who provides the generation portion of their electricity.

Eligibility

October 1, 1999	Certain selected non-residential, retail customers choose their electric supplier.
June, 2000	Choice of electric service suppliers is phased in for certain ComEd industrial/manufacturing customers.
December 31, 2000	All remaining non-residential customers.
May 1, 2002	All residential customers.

Whether you stay with your current supplier or change to another supplier, you may be eligible for savings– depending on your usage, area, and other factors. Shop around and know the facts to get the most for your energy dollar. The following chart lists options to consider. Contact your utility and alternative retail electric suppliers to find out what plans you may be eligible for. To find out more about suppliers in your area, visit the Illinois Commerce Commission's website (www.icc.state.il.us/pluginillinois) or call your utility for a listing.

Know Your Options				
Stay with Current Utility		**Power Purchase Option**		**New Supplier**
Continue your present full service with your current electric utility.	**You may be able to negotiate more favorable terms. Contact your current electric utility.**	**You may be eligible to purchase electric power from your current electric utility with a power purchase option at a potentially reduced price. Contact your current electric utility for more information.**	**You may be able to assign your power purchase option to another supplier. To determine the availability of this option and the potential for savings, contact eligible suppliers. To obtain a list of eligible suppliers see the ICC website.**	**Choose another electric utility or an alternative retail electric supplier as your source of electric power. To obtain a list of eligible suppliers, see the ICC website.**

Illinois Commerce Commission
Consumer Services Division
527 E. Capitol Avenue
Springfield, Illinois 62701

www.icc.state.il.us/pluginillinois
(877) 758-4464 (toll-free)
(217) 782-2024
(800) 858-0277 (TTY)
FAX (217) 524-6859

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Visit these areas to learn more about new options for Illinois electric service customers:

- Illinois Commerce Commission (Electric Portal)
- A Consumer's Guide to Electric Services Restructuring
  - Provisions Under the Illinois Electric Service Industry
  - Making Choices
  - Phased-In Schedule
  - Purchasing Power
  - Energy Sources
  - Billing
  - Safeguarding Your Service
  - Customer Rights
  - Key Terms
  - How Do I Determine the Right Choice For My Business?
- Natural Gas Service Unit
- Know Your Options
- The Choice Timeline
- Eligibility & Lottery
- List of Suppliers
  - Certified
  - Pending
- Frequently Asked Questions
- For More Information
- Documents Available for Download
  - Know Your Options
  - Bill Insert
  - Brochure
- Illinois Commerce Commission Home Page

Your Opinion Please

Do you find the Illinois Commerce Commission has explained the effectiveness of the Electric Restructuring Consumer Education Program which includes this Web site, Plug In Illinois?

Was this site helpful?

◉ Yes ○ No

Submit Cancel

Comments

Choice & the Electric Service Industry

The Illinois electric utility industry is undergoing some changes that may affect the way you purchase your electricity. As in many other states, the marketplace for electricity suppliers is opening to competition.

The Illinois Electric Service Customer Choice and Rate Relief Law of 1997 restructures the state's electric utility industry to offer customers choices about who supplies their electric power, competitive prices for that power, and new services. During 1998, in the first year of the law's implementation, many residential customers of Illinois investor-owned electric utilities received a base rate reduction.

As of October 1, 1999, many non-residential customers have the option to choose their electric supplier. That supplier may be the current electric utility, another Illinois electric utility, or an alternative retail electric supplier certified by the Illinois Commerce Commission.

Regardless of which company you select to be the supplier of electricity, your current electric utility company will continue to deliver the electricity to businesses and homes in your area.

You are not obligated to make a change. The law simply provides the opportunity.

The ability to choose an electric supplier will create new opportunities for Illinois electric customers, such as additional pricing options and service packages. Most important, establishing electric choice will allow customers to select a company that can best meet their individual needs. Restructuring electric service may benefit our state economically as well. It may encourage competition—attracting alternative retail electric suppliers to operate in Illinois, allowing Illinois utilities to business growth and development throughout the state.

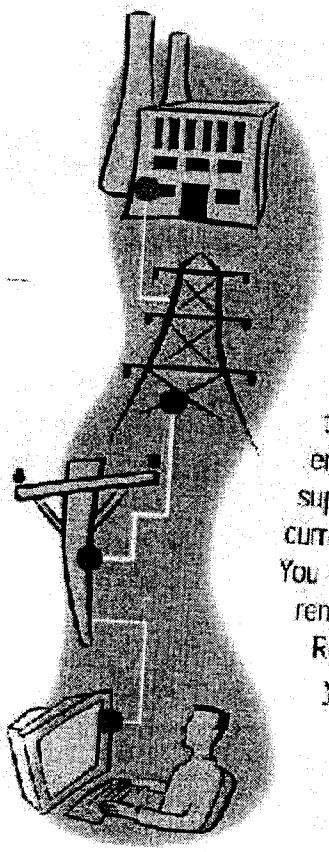
NEXT>>

Bill Insert

Plug In Illinois℠
Power of Choice

Plug In To The Power Of Choice

Choices, competitive prices, and new services—that's what the Illinois Electric Service Customer Choice and Rate Relief Law offers customers. It restructures the state's electric utility industry.



How Power of Choice Works

There are three steps to getting electricity: **generation** (production of electricity), **transmission** (sending high voltage power to distribution points), and **distribution** (delivering it to your business or home). Unless you choose differently, your current utility company will continue to handle all three steps. Electric restructuring empowers customers to choose who supplies the generation portion — the current electric utility or another supplier. You may choose to change suppliers or remain with your current electric utility. Regardless of the generation supplier, your current electric company remains responsible for delivering the electricity and providing reliable delivery service.

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Some Enlightening Changes

- You may see changes in your bill(s), including breakouts of charges
- Some electricity suppliers may also offer you other goods and services
- Suppliers will be subject to new and continued rules, regulations, and legal obligations
- Consumer protection laws and complaint procedures have been expanded*

When Choice Powers Up

The law provides for a phase-in of customer choice. Effective December 31, 2000, all non-residential customers are eligible to buy electricity from any certified provider or electric utility. Residential customers will be eligible by May 1, 2002.

Get The Connection

Take charge and make an informed decision. For a list of certified suppliers and to learn more about your rights, risks, and responsibilities, contact:

Illinois Commerce Commission
Consumer Services Division
527 E. Capitol Avenue
Springfield, IL 62701
www.icc.state.il.us/pluginillinois
(877) 758-4464 (toll-free)
(300) 858-9277 (TTY)
FAX: (217) 524-5859

*Consumers may file a complaint about an electric supplier with the Illinois Commerce Commission at (800) 524-0795 and/or the Attorney General at (312) 814-3000 in Chicago or (217) 782-1090 in Springfield.

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Exhibit C

Illinois and Pennsylvania Statutory Provisions Relating to Consumer Protection

Illinois

1). Article XVI of the Illinois Public Utilities Act (220 ILCS 5/16-101 et seq.) provides that, aside from certain municipalities and cooperatives, only Illinois electric utilities and other entities certified by the ICC as ARES can sell electric power and energy to Illinois retail customers.

2). Section 220 ILCS 5/16-115, together with regulations of the ICC called for thereby, require ARES to have, among other things, managerial, technical, and financial qualifications appropriate for the types of service they are authorized to provide and the class(es) of customers they are authorized to serve. This Section also requires the ARES to comply with all applicable federal, state, regional and industry rules, policies, practices and procedures for the use, operation maintenance, safety, integrity and reliability, of the interconnected electric transmission system.

3). Section 220 ILCS 5/16-115A sets forth, among other things, the additional requirements for ARES operations. An ARES:

- must obtain verifiable authorization from a customer before the customer is switched from another supplier, pursuant to Section 2EE of the Illinois Consumer Fraud and Deceptive Business Practices Act (anti-slamming) (Section 2EE is enforceable by the Attorney General as well as by aggrieved private parties);
- may not discriminate by denying service to or establishing different prices, terms, conditions, services, products or facilities based upon race, gender, or income;
- may not discriminate by denying service to or establishing unreasonable differences in prices, terms, conditions, services, products or facilities based upon locality;
- must ensure that all information distributed by the ARES adequately discloses prices, terms and conditions of the products or services offered by the ARES (includes marketing materials, information provided to the customer before the customer is switched from another supplier, and an annual statement to existing customers including average monthly prices); and,
- may not enter into arrangements that prevent retail customers with demand of less than 1 MW from having access to the service of the local electric utility or that result in charging customers for such access, except for arms-length agreements setting a term of service, notice period for termination, or requirements for early termination.

4). Section 220 ILCS 5/16-115B grants the ICC jurisdiction over complaints by customers against any ARES for violation of Sections 16-115 or 16-115A, violation of any contract between the ARES and a retail customer having maximum demands of less than 1 MW, or violation of certain specific service obligations set forth in the Public Utilities Act. Remedies include ordering an ARES to stop or correct any violation of Section 16-115 or 16-115A, imposing financial penalties, or altering, modifying, revoking, or suspending the ARES' certification of service authority.

5). Section 220 ILCS 5/16-119 permits customers to change suppliers subject to tariff or contract terms and conditions. This Section also contains notice provisions concerning fees, charges or penalties associated with early termination of a contract.

6). Section 220 ILCS 5/16-129 permits customers to require a utility to adhere to terms of a pre-existing contract between the customer and the electric utility in accordance with the specified prices, terms and conditions.

7). Section 220 ILCS 5/16-105 requires each electric utility to have Commission-approved delivery services implementation plans on file with the ICC. These plans detail for eligible customers the process and procedures by which the electric utility will offer delivery services to each customer class.

8). Section 220 ILCS 5/16-117 implements a customer education program to provide residential and small commercial retail customers with information to help them understand their service options, rights and responsibilities through the following:

- requiring electric utilities and ARES to send printed educational materials approved by the ICC to customers (for electric utilities) not later than when the customer becomes eligible to take service from an alternate supplier, in initial mailings to potential customers or prior to the execution of an agreement or contract number (for ARES), or (for electric utilities and ARES) upon customer request;

- requiring the ICC to make publicly available information on ARES and guidelines to assist customers in selecting an appropriate supplier of electric power and energy;

- permitting the ICC to adopt a uniform disclosure form for ARES that enables consumers to compare prices, terms and conditions; and

- requiring that the ICC make available staff with the ability and knowledge to respond to consumer inquiries.

9). Section 220 ILCS 5/16-123 requires that electric utilities and ARES maintain a call center where customers can receive current information and reach a representative, and that customers be notified periodically how to reach the call center.

10). Section 220 ILCS 5/16-122 protects the privacy of customers, authorizing electric utilities to provide a customer's billing and usage data only to (a) the customer, or (b) a person who presents verifiable authorization that it is acting as the customer's

agent. This Section also prevents release of customer specific billing, usage or load shape data except upon authorization by the customer.

11). Section 220 ILCS 5/16-108 provides for regulation by the ICC of a utility's delivery services tariffs, including its delivery services charges, except to the extent that the tariffs are subject to the exclusive jurisdiction of the Federal Energy Regulatory Commission. Section 16-108 also provides, among other things, that the utility's delivery services charges are to be cost-based.

12). Section 220 ILCS 5/16-108 also requires electric utilities to price and make available delivery services to all eligible retail customers on a non-discriminatory basis, regardless of what entity the customer chooses as its supplier of electric power and energy.

13). Section 220 ILCS 5/16-125 mandates that the ICC establish rules requiring electric utilities and ARES to adopt and implement procedures for restoring transmission and distribution services to customers after outages on a non-discriminatory basis, without regard to which entity the customer has chosen as its supplier of electric power and energy. The ICC has promulgated rules in accordance with this section of the Act.

14). Section 220 ILCS 5/16-103 details circumstances under which a customer that has switched to an alternate supplier may return as of right to the electric utility's bundled services. Of most relevance is the requirement that a utility allow residential and small commercial customers to return to bundled service after having switched suppliers, with the utility being permitted, but not required, to charge a reasonable administrative fee and to require that the customer not elect to take delivery services for up to 24 months thereafter.

15). Article XVI and other provisions of the Illinois Public Utilities Act permit, but do not require, utilities to offer an interim form of supply service where a customer that has switched subsequently loses abruptly its alternate supplier. Every Illinois electric utility voluntarily has placed such a tariff on file, although there are variations in the terms of these offerings. Thus, a customer that abruptly loses its alternate supplier has the opportunity to chose another alternate supplier before returning to the utility's bundled services.

16). Section 2FF of the Illinois Consumer Fraud and Deceptive Business Practices Act (815 ILCS 505/2FF) imposes civil penalties for fraud perpetrated on elderly persons with respect to the advertising, sale, provider selection, billings, or collections relating to the provision of electric service.

17). Section 2GG of the Illinois Consumer Fraud and Deceptive Business Practices Act (815 ILCS 505/2GG) requires that any advertisement for electric service that lists rates shall clearly and conspicuously disclose all associated costs for such service including, but not limited to, access fees and service fees.

18). Section 2HH of the Illinois Consumer Fraud and Deceptive Business Practices Act (815 ILCS 505/2HH) requires that each person selling generation, transmission,

distribution, metering, or billing of electric service display the name, the toll-free telephone number of such service provider, and a description of the services provided on all bills submitted to subscribers of such services. The section also prohibits divulging personal information relating to the subscriber of generation, transmission, distribution, metering, or billing of electric service except for credit bureaus, collection agencies, and persons licensed to market electric service in the State of Illinois, without the written consent of the subscriber.

19). Section 2P of the Illinois Consumer Fraud and Deceptive Business Practices Act (815 ILCS 505/2P) prohibits the promotion or advertising of electric service by means of offering free prizes, gifts, or gratuities to any consumer, unless all material terms and conditions relating to the offer are clearly and conspicuously disclosed at the outset of the offer. Section 2P was amended by the restructuring legislation.

20). The Restructuring Act also added 15 ILCS 205/6.5 to the Illinois Attorney General Act. This section establishes a Consumer Utilities Unit within the Office of the Attorney General which is authorized to intervene in, initiate, enforce, and defend all legal proceedings on matters relating to the provision, marketing, and sale of electric service whenever the Attorney General determines that such action is necessary to promote or protect the rights and interest of all Illinois citizens, classes of customers, and users.

Illinois and Pennsylvania Statutory Provisions Relating to Consumer Protection

Pennsylvania

1). Included in 66 Pa. C.S. Section 2804(4) are rate cap protections for both regulated service and generation service, when obtained from the utility in its role as provider of last resort.

2). Contained in 66 Pa. C.S. Section 2802(10); 66 Pa. C.S. Section 2804(9) are low income protections that are continued at pre-competition levels, at a minimum..

3). In 66 Pa. C.S. Section 2802(17), universal service and environmental conservation policies were continued.

4). Reliability of service is identified as a primary standard for restructuring in 66 Pa. C.S. Section 2804(1). Also, 66 Pa. C.S. Section 2807(a), requires utilities to maintain their wires system to high standards.

5). Rate class discrimination continued to be prohibited in 66 Pa. C.S. Section 2804(7).

6). Regional initiatives with other states and non-regulated entities (municipalities, rural cooperatives) are encouraged within 66 Pa. C.S. Section 2805.

7). Each company was required to submit to the Commission its plan for implementing competition in its service territory, with those plans subject to litigation challenges by consumer parties prior to Commission approval in 66 Pa. C.S. Section 2806. Every plan was challenged significantly by consumer groups and changes were made before approval.

8). It is required in 66 Pa. C.S. Section 2809 that alternative generators are to be licensed and to post a bond. (Exelon believes that the bonding requirement needs to be more stringent to properly protect Pennsylvania consumers.)

9). Adopted in 66 Pa. C.S. Section 2807 (c) and associated rulemakings, are procedures to eliminate double-billing and other billing problems.

10). Utilities are to continue to provide customer protections and customer service functions, including meter reading, customer complaint processes, and collections policies, at the same or a higher level than before competition as required in 66 Pa. C.S. Section 2807 (d).

11). Utilities were required to engage in education program to assist customers to take advantage of choice according to 66 Pa. C.S. Section 2807 (d).

12). Mandated in 66 Pa. C.S. Section 2807 (e), utilities must fulfill the obligation to serve as long as they are collecting stranded investment from customers.

13). The Commission monitors market power and may refer problems to agencies with enforcement power over ongoing market issues. In addition, the Commission may impose terms to control market power before approving any merger, acquisition, or divestiture.

EXHIBIT D
Rider ISS

*

RIDER ISS – INTERIM SUPPLY SERVICE

Applicable to Rate RCDS

PURPOSE.
The purpose of this tariff is to enable retail customers to receive electric power and energy supply services from the Company on a short-term basis in situations as described in the Applicability section of this tariff.

APPLICABILITY.
* If the Company determines that Rate RESS - Retail Electric Supplier Service (Rate RESS) would no longer be made available to a Retail Electric Supplier (RES), or if the Company terminates Rate RESS service to a RES, or if the Company determines that a RES stops providing electric power and energy supply services to retail customers, such RES's retail customers in the Company's service territory shall be placed on Rider ISS – Interim Supply Service (Rider ISS) as of the time that such RES is no longer providing or is not qualified to provide electric power and energy supply services to such retail customers. In addition, if a retail customer acting as a Customer Self-Manager (CSM) is no longer eligible to receive service as a CSM or has its status as a CSM terminated, that customer shall be placed on Rider ISS as of the time the customer's status as a CSM is discontinued. In addition, a retail customer for which the Company receives a drop Direct Access Service Request (DASR), but for which a DASR to switch suppliers has not been received by the Company in accordance with the Switching Suppliers section of Rate RCDS - Retail Customer Delivery Service - Nonresidential (Rate RCDS), the customer shall be placed on Rider ISS as of the effective date of the drop DASR. In addition, in other circumstances in which a retail customer has no other provider of electric power and energy supply services, such customer shall be provided service hereunder.

* A retail customer shall be provided electric power and energy supply services under Rider ISS for a period that will terminate on or before the Company's third regularly scheduled meter reading or billing cycle date for such retail customer following the date that such retail customer commences service hereunder, during which time such retail customer may select a provider of electric power and energy supply services.

NOTIFICATION OF SERVICE COMMENCEMENT.
The Company shall notify each nonresidential retail customer transferred to service hereunder by mail within ten (10) business days of such transfer.

CHARGES.
* **Interim Supply Energy Charges**
* Interim Supply Energy Charges (ISECs) apply to the kilowatt-hours (kWhs) supplied hereunder by the Company and delivered under the provisions of Rate RCDS.

(Continued on Sheet No. 153)

Filed with the Illinois Commerce Commission on November 17, 2000. Issued pursuant to the Stipulation approved by Interim Order of the Illinois Commerce Commission entered October 18, 2000, in Docket No. 00-0494.
Asterisk (*) indicates change.

Date Effective: January 1, 2001
Issued by A. A. Juracek, Vice President
Post Office Box 767, Chicago, Illinois 60690

RIDER ISS – INTERIM SUPPLY SERVICE

(Continued from Sheet No. 152)

CHARGES (CONTINUED).

* **Interim Supply Energy Charges (Continued)**

* ISECs shall be determined for a retail customer based upon the customer class applicable to the retail customer for the monthly billing period. The customer class, as described in the Charges section of Rate RCDS, under which the retail customer is billed for the monthly billing period shall be used for the purposes of determining the customer class applicable to the retail customer hereunder for the monthly billing period. The customer classes are as follows:

Nonresidential Delivery Service Customers:
With Only Watt-hour Only Meters
0 kW up to and including 25 kW
Over 25 kW up to and including 100 kW
Over 100 kW up to and including 400 kW
Over 400 kW up to and including 800 kW
Over 800 kW up to and including 1,000 kW
Over 1,000 kW up to and including 3,000 kW
Over 3,000 kW up to and including 6,000 kW
Over 6,000 kW up to and including 10,000 kW
Over 10,000 kW
Railroad Delivery Service Customers
Pumping Delivery Service Customers
Fixture-included Lighting Nonresidential Delivery Service Customers
Street Lighting Delivery Service Customers:
Dusk to Dawn
All Other Lighting

For each Applicable Period, as described in the General section of this tariff, the Company will determine a separate Energy Peak Period charge, an Energy Off-Peak Period Charge and a Non-Time of Use (Non-TOU) charge for both the Summer Billing Periods and the Nonsummer Billing Periods for each customer class. The Energy Peak Period charges will be determined as a function of the settlement prices of the New York Mercantile Exchange (NYMEX) Cinergy electricity futures contract plus a basis differential. The Energy Off-Peak Period charges will be determined using the midpoints of the range of the appropriate daily spot prices for the region most directly related to the Company's service territory for off-peak energy reported by Platt's or other similar reporting service (Platt's). The Energy Off-Peak Period charges are adjusted for the time period differences between the wholesale market and the Company's Energy Off-Peak Period. The Non-TOU charge will be determined using the Energy Peak Period and Energy Off-Peak Period charges.

(Continued on Sheet No. 154)

Filed with the Illinois Commerce Commission on November 17, 2000. Issued pursuant to the Stipulation approved by Interim Order of the Illinois Commerce Commission entered October 18, 2000, in Docket No. 00-0494.
Asterisk (*) indicates change.

Date Effective: January 1, 2001
Issued by A. A. Juracek, Vice President
Post Office Box 767, Chicago, Illinois 60690

RIDER ISS – INTERIM SUPPLY SERVICE

(Continued from Sheet No. 153)

CHARGES (CONTINUED).

Interim Supply Energy Charges (Continued)

Energy Peak Period ISECs

The ISECs for Energy Peak Periods during the Summer Billing Periods (Summer Peak ISECs) for Applicable Period A will be determined using the June, July, August, and September Cinergy electricity futures contracts as set forth below. The Summer Peak ISECs for Applicable Period B will be determined using the September Cinergy electricity futures contract as set forth below.

The ISECs for the Energy Peak Periods during the Nonsummer Billing Periods (Nonsummer Peak ISECs) for Applicable Period A and Applicable Period B will be determined using the October through May of the following year Cinergy electricity futures contracts. The Nonsummer Peak ISECs for the Initial Applicable Period will be determined using the monthly Cinergy electricity futures contracts for the nonsummer months in the Initial Applicable Period.

$$\text{Summer Peak ISEC}_c = \frac{\sum_s [CMV_{mo} \times (1 + PDLF_{mo,c}) \times (1 + TLF) \times (PPU_{mo,c})]}{[\sum_s (PPU_{mo,c})] \times 10}$$

$$\text{Nonsummer Peak ISEC}_c = \frac{\sum_{ns} [CMV_{mo} \times (1 + PDLF_{mo,c}) \times (1 + TLF) \times (PPU_{mo,c})]}{[\sum_{ns} (PPU_{mo,c})] \times 10}$$

where:

Summer Peak $ISEC_c$ = ISEC for the Energy Peak Periods during the Summer Billing Periods, in cents per kWh, for retail customers in the applicable customer class, c

Nonsummer Peak $ISEC_c$ = ISEC for the Energy Peak Periods during the Nonsummer Billing Periods, in cents per kWh, for retail customers in the applicable customer class, c

$\sum_s$ = Summation of all monthly quantities calculated separately for each customer class, c, for each summer month (June through September), mo, during the Applicable Period

$\sum_{ns}$ = Summation of all monthly quantities calculated separately for each customer class, c, for each nonsummer month (October through May), mo, during the Applicable Period

(Continued on Sheet No. 155)

RIDER ISS – INTERIM SUPPLY SERVICE

(Continued from Sheet No. 154)

CHARGES (CONTINUED).

Interim Supply Energy Charges (Continued)

Energy Peak Period ISECs (Continued)

CMV_{mo} = The average of the settlement prices, in $ per MWh, of the pertinent Cinergy electricity futures contracts as reported by the NYMEX at the close of (i) the first, second, and third business days on or after April 15th for Applicable Period A; or (ii) the first, second, and third business days on or after July 15th for Applicable Period B; or (iii) the first, second, and third business days beginning with the sixteenth day prior to the effective date of this tariff for the Initial Applicable Period, plus a basis differential of $0.70 per MWh.

$PDLF_{mo,c}$ = The distribution loss factor for the applicable customer class, c, during the Energy Peak Periods of the month, mo

$PPU_{mo,c}$ = The megawatt-hour consumption for the applicable customer class, c, during the Energy Peak Periods of the month, mo

TLF = The loss factor associated with energy losses on the Company's transmission system as specified in the Company's Open Access Transmission Tariff (OATT) or such other applicable tariff on file with the Federal Energy Regulatory Commission (FERC)

Energy Off-Peak Period ISECs

The ISECs for the Energy Off-Peak Periods during the Summer Billing Periods (Summer Off-Peak ISECs) for Applicable Period A will be determined as set forth below using the off-peak energy prices for the region most closely related to the Company's service territory reported by Platt's for the months June through September of the year prior. The Summer Off-Peak ISECs for Applicable Period B will be determined as set forth below using the off-peak energy prices for the region most closely related to the Company's service territory reported by Platt's for September of the year prior.

The ISECs for the Energy Off-Peak Periods during the Nonsummer Billing Periods (Nonsummer Off-Peak ISECs) for Applicable Period A, Applicable Period B, and the Initial Applicable Period will be determined using the off-peak energy prices for the region most closely related to the Company's service territory reported by Platt's for the most current complete eight nonsummer months at the time the Off-Peak ISECs are determined.

(Continued on Sheet No. 156)

RIDER ISS – INTERIM SUPPLY SERVICE

(Continued from Sheet No. 155)

CHARGES (CONTINUED).

Interim Supply Energy Charges (Continued)

Energy Off-Peak Period ISECs (Continued)

$$\text{Summer Off-Peak ISEC}_c = \frac{\sum_s [PMV_{mo} \times (1 + OPDLF_{mo,c}) \times (1 + TLF) \times (OPPU_{mo,c})]}{[\sum_s (OPPU_{mo,c})] \times 10}$$

$$\text{Nonsummer Off-Peak ISEC}_c = \frac{\sum_{ns} [PMV_{mo} \times (1 + OPDLF_{mo,c}) \times (1 + TLF) \times (OPPU_{mo,c})]}{[\sum_{ns} (OPPU_{mo,c})] \times 10}$$

where:

$\text{Summer Off-Peak ISEC}_c$ = ISEC for the Energy Off-Peak Periods during the Summer Billing Periods, in cents per kWh, for retail customers in the applicable customer class, c

$\text{Nonsummer Off-Peak ISEC}_c$ = ISEC for the Energy Off-Peak Periods during the Nonsummer Billing Periods, in cents per kWh, for retail customers in the applicable customer class, c

PMV_{mo} = The average of the midpoint of the trading range of the daily spot prices for off-peak energy during the month, mo, for the region most directly related to the Company's service territory reported by Platt's multiplied by an adjustment factor of 1.12

$OPDLF_{mo,c}$ = The distribution loss factor for the applicable customer class, c, during the Energy Off-Peak Periods of the month, mo

$OPPU_{mo,c}$ = The megawatt-hour consumption for the applicable customer class, c, during the Energy Off-Peak Periods of the month, mo

Collectively, the Summer Peak ISECs, the Nonsummer Peak ISECs, the Summer Off-Peak ISECs, and the Nonsummer Off-Peak ISECs are the Time of Use (TOU) ISECs.

(Continued on Sheet No. 157)

RIDER ISS – INTERIM SUPPLY SERVICE

(Continued from Sheet No. 156)

CHARGES (CONTINUED).

Interim Supply Energy Charges (Continued)

Non-Time of Use ISECs

The Summer Non-TOU ISECs shall be determined for each customer class for each respective Applicable Period in accordance with the following formula:

$$\text{Summer Non-TOU ISEC}_c = \frac{(\text{Summer Peak ISEC}_c \times \sum_s \text{PPU}_{mo,c}) + (\text{Summer Off-Peak ISEC}_c \times \sum_s \text{OPPU}_{mo,c})}{\sum_s (\text{PPU}_{mo,c} + \text{OPPU}_{mo,c})}$$

The Nonsummer Non-TOU ISEC shall be determined for each customer class for each respective Applicable Period in accordance with the following formula:

$$\text{Nonsummer Non-TOU ISEC}_c = \frac{(\text{Nonsummer Peak ISEC}_c \times \sum_{ns} \text{PPU}_{mo,c}) + (\text{Nonsummer Off-Peak ISEC}_c \times \sum_{ns} \text{OPPU}_{mo,c})}{\sum_{ns} (\text{PPU}_{mo,c} + \text{OPPU}_{mo,c})}$$

Application of Charges

A retail customer for which one of the following customer classes is applicable will be charged the Summer Non-TOU ISEC or the Nonsummer Non-TOU ISEC, applicable to such customer class, for all kilowatt-hours delivered in each Summer monthly billing period or Nonsummer monthly billing period, respectively. The applicable customer classes are:

Nonresidential Delivery Service Customers:
With Only Watt-hour Only Meters
0 kW up to and including 25 kW
Over 25 kW up to and including 100 kW
Over 100 kW up to and including 400 kW
Fixture-included Lighting Nonresidential Delivery Service Customers
Street Lighting Delivery Service Customers:
Dusk to Dawn
All Other Lighting

(Continued on Sheet No. 158)

RIDER ISS – INTERIM SUPPLY SERVICE

(Continued from Sheet No. 157)

CHARGES (CONTINUED).

Interim Supply Energy Charges (Continued)

Application of Charges (Continued)

A retail customer for which one of the following customer classes is applicable will be charged the Peak ISECs and Off-Peak ISECs applicable to such customer class. The applicable Summer Peak ISEC or Nonsummer Peak ISEC shall be applied to all kilowatt-hours provided during Energy Peak Periods in each Summer monthly billing period or Nonsummer monthly billing period, respectively, and the applicable Summer Off-Peak ISEC or Nonsummer Off-Peak ISEC shall be applied to all kilowatt-hours provided during Energy Off-Peak Periods in each Summer monthly billing period or Nonsummer monthly billing period, respectively. The applicable customer classes are:

Nonresidential Delivery Service Customers:
Over 400 kW up to and including 800 kW
Over 800 kW up to and including 1,000 kW
Over 1,000 kW up to and including 3,000 kW
Over 3,000 kW up to and including 6,000 kW
Over 6,000 kW up to and including 10,000 kW
Over 10,000 kW
Railroad Delivery Service Customers
Pumping Delivery Service Customers

If any of such retail customer's meters are incapable of registering the necessary data to determine the energy consumption's time of use, the usage on any such meter will be billed at the Summer Non-TOU ISEC or Nonsummer Non-TOU ISEC, as appropriate, applicable to such customer class.

Transmission Services and Ancillary Transmission Services Charges

Transmission services and ancillary transmission services charges shall apply to all kWhs provided under this tariff and shall be determined in accordance with the terms and conditions of the Company's OATT for network service or such other applicable tariff on file with the FERC and shall be based on a customer class load ratio formula. The load ratio formula to determine customer class transmission services and ancillary transmission services charges is as follows:

$$TSC_c = \frac{Average_{12\text{-}month}\left[\frac{Load_c}{Load_s}\right] \times C \times 100}{Usage_c}$$

(Continued on Sheet No. 159)

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RIDER ISS – INTERIM SUPPLY SERVICE

(Continued from Sheet No. 158)

CHARGES (CONTINUED).

Transmission Services and Ancillary Transmission Services Charges (Continued)
where:

TSC_c = Transmission services and ancillary transmission services charge expressed in cents per kWh for the customer class, c

$Load_c$ = Customer class load at the time of the Company's monthly transmission system peak

$Load_s$ = Company's monthly transmission system peak

C = Company's annual revenue requirement for transmission services and charges for ancillary transmission services and facilities

$Usage_c$ = Annual customer class kWh usage

Customer Transition Charge
A Customer Transition Charge as defined in Rate CTC – Customer Transition Charge (Rate CTC) shall apply to all kWhs delivered hereunder through December 31, 2006.

Late Payment Charge
The late payment charge provided for in the Terms and Conditions of this Schedule of Rates shall be applicable to all charges under this rider.

TERM OF SERVICE AND TERMINATION PROVISIONS.
A retail customer shall be provided electric power and energy supply services hereunder for a period that will terminate on or before the Company's third regularly scheduled meter reading or billing cycle date for such retail customer following the date that such retail customer commences service hereunder.

While being served hereunder, a retail customer must, in accordance with the provisions in the Switching Suppliers section of Rate RCDS, either: (1) obtain a new provider of electric power and energy supply services, or (2) provide for a transfer to an applicable bundled service tariff. If a retail customer served hereunder does not make either of the aforementioned elections, such retail customer shall be transferred to an applicable bundled service tariff by default on the Company's third regularly scheduled meter reading or billing cycle date for such retail customer following the date that such retail customer commenced service hereunder.

(Continued on Sheet No. 160)

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RIDER ISS – INTERIM SUPPLY SERVICE

(Continued from Sheet No. 159)

TERM OF SERVICE AND TERMINATION PROVISIONS (CONTINUED).
Service under Rate RCDS shall not be made available to any retail customer for a period of twelve (12) consecutive monthly billing periods after such customer transfers from this tariff to an applicable bundled service tariff, provided that service under Rate RCDS shall not be made available to any small commercial retail customer for a period of twenty-four (24) consecutive monthly billing periods after such customer transfers from this tariff to an applicable bundled service tariff in accordance with Section 16-103(d) of the Public Utilities Act (220 ILCS 5/16-103(d)).

GENERAL.
For the purposes of billing a retail customer hereunder, the Summer Billing Period shall be such customer's first monthly billing period with an ending meter reading date on or after June 15 and the three succeeding monthly billing periods.

Energy Peak Periods, for purposes hereof, shall be the hours of 9:00 a.m. to 10:00 p.m. on Monday through Friday, except on days on which the following holidays are generally observed: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and, if one of the foregoing holidays occurs on a Tuesday or Thursday, the immediately preceding Monday or immediately following Friday, respectively. Energy Off-Peak Periods shall be all other hours.

In each year there shall be two Applicable Periods, Applicable Period A and Applicable Period B. Applicable Period A shall begin with the June monthly billing period and end with the following May monthly billing period. Applicable Period B shall begin with the September monthly billing period and end with the following May monthly billing period. Notwithstanding the above, in the year 1999 there shall be a single Initial Applicable Period beginning with the October monthly billing period and ending with the following May monthly billing period.

* A retail customer commencing service hereunder for which the first monthly billing period hereunder is in the period beginning with the billing cycle day on or following the original effective date of this rider and extending through the May 2000 monthly billing period shall be subject to the ISECs determined for the Initial Applicable Period. Such retail customer shall be subject to ISECs determined for the subsequent Applicable Period A as long as the retail customer continues to receive service hereunder.

* A retail customer commencing service hereunder for which the first monthly billing period hereunder is the June, July, or August monthly billing periods in a given year shall be subject to the ISECs determined for Applicable Period A for such year.

(Continued on Sheet No. 161)

* **RIDER ISS – INTERIM SUPPLY SERVICE**

(Continued from Sheet No. 159)

TERM OF SERVICE AND TERMINATION PROVISIONS (CONTINUED).
Service under Rate RCDS shall not be made available to any retail customer for a period of twelve (12) consecutive monthly billing periods after such customer transfers from this tariff to an applicable bundled service tariff, provided that service under Rate RCDS shall not be made available to any small commercial retail customer for a period of twenty-four (24) consecutive monthly billing periods after such customer transfers from this tariff to an applicable bundled service tariff in accordance with Section 16-103(d) of the Public Utilities Act (220 ILCS 5/16-103(d)).

GENERAL.
For the purposes of billing a retail customer hereunder, the Summer Billing Period shall be such customer's first monthly billing period with an ending meter reading date on or after June 15 and the three succeeding monthly billing periods.

Energy Peak Periods, for purposes hereof, shall be the hours of 9:00 a.m. to 10:00 p.m. on Monday through Friday, except on days on which the following holidays are generally observed: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and, if one of the foregoing holidays occurs on a Tuesday or Thursday, the immediately preceding Monday or immediately following Friday, respectively. Energy Off-Peak Periods shall be all other hours.

In each year there shall be two Applicable Periods, Applicable Period A and Applicable Period B. Applicable Period A shall begin with the June monthly billing period and end with the following May monthly billing period. Applicable Period B shall begin with the September monthly billing period and end with the following May monthly billing period. Notwithstanding the above, in the year 1999 there shall be a single Initial Applicable Period beginning with the October monthly billing period and ending with the following May monthly billing period.

* A retail customer commencing service hereunder for which the first monthly billing period hereunder is in the period beginning with the billing cycle day on or following the original effective date of this rider and extending through the May 2000 monthly billing period shall be subject to the ISECs determined for the Initial Applicable Period. Such retail customer shall be subject to ISECs determined for the subsequent Applicable Period A as long as the retail customer continues to receive service hereunder.

* A retail customer commencing service hereunder for which the first monthly billing period hereunder is the June, July, or August monthly billing periods in a given year shall be subject to the ISECs determined for Applicable Period A for such year.

(Continued on Sheet No. 161)

TSEC Attachment A

Transition Service Energy Charges (cents/kWh)

Applicable from June 2000 through May 2001 Monthly Billing Periods

Customer Class	Summer Peak	Summer Off-Peak	Nonsummer Peak	Nonsummer Off-Peak	Summer Non-TOU	Nonsummer Non-TOU
With Only Watt-hour Only	12.065	1.633	3.085	1.674	6.459	2.289
0 to 25 kW	11.476	1.623	3.050	1.667	6.808	2.343
Over 25 to 100 kW	11.056	1.607	3.046	1.655	6.479	2.312
Over 100 to 400 kW	11.096	1.597	3.008	1.649	6.343	2.277
Over 400 to 800 kW	11.010	1.598	3.020	1.648	5.953	2.266
Over 800 to 1,000 kW	10.893	1.580	3.000	1.640	5.955	2.271
Over 1,000 to 3,000 kW	10.896	1.571	2.968	1.625	5.752	2.223
Over 3,000 to 6,000 kW	10.839	1.573	2.955	1.627	5.644	2.192
Over 6,000 to 10,000 kW	11.058	1.582	2.963	1.624	5.588	2.195
Over 10,000 kW	10.672	1.544	2.922	1.595	5.106	2.115
Fixture-Included Lighting	10.673	1.628	3.130	1.688	2.865	2.012
Street Lighting - Dusk to Dawn	10.610	1.622	3.116	1.682	2.856	2.005
Street Lighting - Other	10.608	1.591	2.965	1.660	4.958	2.145
Railroads	10.592	1.538	2.893	1.572	6.157	2.202
Pumping	11.114	1.607	3.033	1.662	5.383	2.205

Commonwealth Edison Company
Rate Department
04/20/2000

TSEC Attachment A - Applicable Period B

Transition Service Energy Charges (cents/kWh)

Applicable to Customers Subject to Applicable Period B Prices from September 2000 through May 2001 Monthly Billing Periods

Customer Class	Summer Peak	Summer Off-Peak	Nonsummer Peak	Nonsummer Off-Peak	Summer Non-TOU	Nonsummer Non-TOU
With Only Watt-hour Only	3.894	1.356	3.332	1.700	2.489	2.412
0 to 25 kW	3.885	1.358	3.295	1.688	2.674	2.474
Over 25 to 100 kW	3.909	1.353	3.288	1.677	2.681	2.439
Over 100 to 400 kW	3.839	1.341	3.253	1.674	2.594	2.403
Over 400 to 800 kW	3.851	1.339	3.265	1.672	2.528	2.389
Over 800 to 1,000 kW	3.836	1.335	3.243	1.664	2.521	2.396
Over 1,000 to 3,000 kW	3.783	1.323	3.208	1.650	2.438	2.344
Over 3,000 to 6,000 kW	3.781	1.323	3.197	1.652	2.406	2.309
Over 6,000 to 10,000 kW	3.782	1.324	3.205	1.649	2.366	2.313
Over 10,000 kW	3.705	1.299	3.161	1.620	2.246	2.223
Fixture-Included Lighting	4.036	1.380	3.360	1.711	1.842	2.081
Street Lighting - Dusk to Dawn	4.016	1.375	3.345	1.705	1.835	2.075
Street Lighting - Other	3.758	1.349	3.206	1.686	2.251	2.251
Railroads	3.698	1.293	3.121	1.595	2.534	2.323
Pumping	3.862	1.353	3.280	1.689	2.341	2.320

Commonwealth Edison Company
Distribution Pricing
July 21, 2000

ELECTRONIC REPLICATION OF SHEET ON FILE WITH ICC
– Font and Format May Vary – Content is Identical –

ATTACHMENT C

Transmission Service Charges
Effective for the Company's Customers, as Applicable,
During the Period Starting with the October 1999 Billing Period
and Ending with the December 2000 Billing Period

NONRESIDENTIAL CUSTOMER CLASS	TSC Cents per kWh
With Only Watt-hour Only Meters	0.289
0 kW to 25 kW	0.344
Over 25 kW up to and including 100 kW	0.343
Over 100 kW up to and including 400 kW	0.320
Over 400 kW up to and including 800 kW	0.295
Over 800 kW up to and including 1,000 kW	0.292
Over 1,000 kW up to and including 3,000 kW	0.272
Over 3,000 kW up to and including 6,000 kW	0.267
Over 6,000 kW up to and including 10,000 kW	0.260
Over 10,000 kW	0.228
Fixture-included Lighting	0.239
Street Lighting – Dusk to Dawn	0.238
Street Lighting – All Other	0.215
Railroads	0.306
Pumping	0.227

September 14, 1999
Commonwealth Edison Company

EXHIBIT E
Real-Time Pricing Comments

RESPONSE OF COMMONWEALTH EDISON COMPANY TO
STAFF'S PROPOSED ADDITIONAL REQUIREMENTS FOR
RESIDENTIAL REAL TIME PRICING TARIFFS

Section 16-107(b) of the Public Utilities Act (the "Act") requires electric utilities to have filed on or before May 1, 2000 a tariff that allows all residential customers in their service territories to elect real time pricing ("RTP"). Staff has requested comment on its proposal that each utility file a petition with the Commission, accompanied by a new proposed RTP tariff, direct testimony, and supporting documentation. Staff's proposal also includes substantive tariff design requirements, many of which go beyond the requirements of Section 16-107(b). Finally, the proposal contains a specific list of data and information that utilities would have to provide in support of the new tariffs.

Commonwealth Edison Co. ("ComEd" or the "Company") appreciates the opportunity to comment on this proposal. While ComEd acknowledges that the proposal is an attempt to address what is viewed as a complex series of RTP rate cases, ComEd respectfully submits that the proposal instead would needlessly complicate the process. As will be explained in more detail below, ComEd believes that this proposal is not appropriate for many Illinois utilities, especially those like ComEd that already have on file approved residential RTP tariffs. ComEd also submits that the proposal strays outside of the requirements of the Act and the Commission's authority thereunder. The proposal would, for example, improperly require utilities to offer and support tariffs of a design not required by the Act, in advance of a hearing and a decision under Article IX. Finally, while ComEd certainly does not object to a request that testimony and workpapers accompany filings requiring evidentiary support, ComEd does not believe that such a filing is required here. Filing requirements are procedural in nature and cannot create substantive obligations to file tariffs other or different than those required by the Act.

The Proposal is Contrary to the Act

Section 16-107(b) of the Act imposes a clear and defined obligation on Illinois utilities. It states:

> Each electric utility shall file, on or before May 1, 2000, a tariff or tariffs which allow residential retail customers in the electric utility's service area to elect real-time pricing beginning October 1, 2000.

Section 16-102 defines real time pricing as "charges for delivered electric power and energy that vary on an hour-to-hour basis for nonresidential retail customers and that vary on a periodic basis during the day for residential retail customers." I

1 The Act thereby expressly permits a significantly different pricing scheme for residential real time pricing than it requires for nonresidential customers. The prices for residential customers must only vary on a periodic basis, rather than on an hour-to-hour basis. A pricing structure in which prices vary on a periodic basis during the day is commonly referred to in the electric utility industry as a "time of use" or "time of day" rate structure. Thus, a utility can meet the Act's requirement for a "real time pricing" structure by offering a time of day rate structure to its residential customers.

Over the course of the last twenty years, ComEd has had various residential RTP rates available to its residential customers. Currently, the Company offers Rate 1DR Residential Service - Time of Day to customers in its service territory. The Company proposed this rate in its last general rate case, ICC Docket No. 94-0065. The Commission approved Rate 1DR in its Order in that docket, and it became effective January 14, 1995. Rate 1DR contains prices for usage that vary by Peak Period and Off Peak Period, as well as by summer and nonsummer usage. The Peak Period is defined as 9:00 a.m. to 6:00 p.m. Monday through Friday, except on certain holidays. The Off Peak Period is defined as all other hours. Since its original effective date, the charges contained in Rate 1DR have been adjusted for both the August 1998 residential rate reduction as well as the recovery of all decommissioning costs through a separate rider, ComEd most recently filed modifications to Rate 1DR effective January 1, 1999.

Because it contains charges that vary during the day for peak and off peak usage, Rate 1DR already meets the Act's requirements for a residential RTP rate. Full compliance with the requirements of Section 16-107(b) requires only that ComEd offer this rate to all of its residential customers. At present, service under Rate 1DR is limited to 1,000 customers, a limitation that has never been approached. A simple revision to the availability section of the Rate to remove that limitation will bring the Company into complete compliance with the Act. No new or different rate is required.

Staff's proposal goes beyond what is required by the Act in several ways. First, it appears to call for utilities to file new, or perhaps re-file existing, RTP tariffs. The Act imposes no such requirement. The Act obliges utilities to have filed such a tariff no later than May 1, 2000. Where a qualifying tariff was filed before May 1, 2000, the requirements of the Act are met.

Second, Staff's proposal would require that any necessary filing be by Petition, rather than via a 45-day tariff filing. While utilities can elect to file petitions for approval of proposed tariffs, there is no basis in the Act for imposing such a requirement. Indeed, Article IX specifically contemplates that tariffs be filed with the Clerk and become effective.

Third, Staff s proposal would require utilities to file tariffs other than those required by the Act. There is no basis in the Act for imposing additional requirements beyond those specified in Section 16-107(b) on a proposed RTP tariff. The Act defines utilities' obligations with respect to residential RTP rates and defines the Commission's power to review and/or order into effect such tariffs. It does not authorize the imposition of additional requirements, in advance of an Article IX proceeding, on tariffs that utilities may propose. [2]

[2] Of course, these comments are not a legal brief and are not intended to be an exhaustive discussion of the legal issues raised by the proposal. ComEd reserves the right to assert all of its rights in any proceeding.

The Proposal Is Unnecessary and Needlessly Burdensome

As explained above, ComEd already has an approved tariff on file with the Commission that meets the rate structure requirements of the Act. The proposal is needlessly detailed, is burdensome, and does not recognize the structures of current utility tariffs. In addition, it would require needless litigation, wasting resources of the Commission, Staff, and utilities that could be better utilized elsewhere.

ComEd can achieve full compliance with the Act by making a straightforward 45-day filing that eliminates the limitation of Rate 1DR to 1,000 customers. Such a revision could be passed to file with no further Commission action and without raising any issue of fact requiring evidence, workpapers, or a hearing. Staff's proposal, by contrast, would require ComEd to file a petition and testimony, automatically opening a contested rate proceeding. In addition, the proposal identifies extensive supporting documentation, which for such a filing would be unnecessary or inapplicable. Indeed, were the information required despite its inapplicability to the limited filing the Company is obliged to make, significant resources would be required. Much of the identified information is not accumulated by the Company during the normal course of business and collecting it would require considerable time and expense. This amounts to significant overkill for a tariff that only needs the removal of a participation limit.

Moreover, ComEd is not the only utility in the state that already has a time of day rate available to residential customers. It is the Company's understanding that some tariffs are already available to all residential customers and others only need a minor modification similar to that required for ComEd's tariff. Staff s proposal that all utilities initiate contested rate proceedings would be a waste of resources of the Commission as well as of other parties.

Apart from the lack of any need for a litigated proceeding, ComEd suggests that this is not an area in which new rates are required. Experience over the last twenty years suggests that residential customers have no widespread interest in complex forms of pricing. Indeed, the trend in residential pricing has been for consumers to request less variable, not more variable, rates. ComEd's actual experience to date with Rate 1DR leads to the same conclusion. Despite the fact that it is among the most customer-friendly of the existing residential RTP rates, ComEd has only a handful of customers taking service under Rate 1DR and ComEd receives few if any expressions of interest in this or any alternative rate.

In addition to residential consumer preferences, there are several other reasons for this conclusion. The primary purpose behind time of day rates is to provide price signals to customers so that those customers that have an ability and willingness to adjust their electrical consumption will respond to those prices. Time of day rates require the utility to use a more sophisticated meter than the standard residential meter, the cost of which must be recovered from the customer. Thus, the need to save enough money to offset the cost of the meter makes it more difficult for residential customers to obtain an overall reduction in their bills. This can require the customer to save as much as 10% on electrical usage before seeing any net savings. However, residential customers generally find it difficult to adjust their usage to the extent necessary to reduce their overall electric bill. Factors such as the number of people in the household, the number of people home during the day and working hours of those employed outside the home are more important drivers of the time at which residential customers use electricity than are time of day rates.

Conclusion

ComEd believes that, save for the technical removal of a cap on total participation that has never been reached, its rates are in full compliance with Section 16-107(b). This technical revision can best be made by a simple 45-day tariff filing. No charges or terms and conditions need be changed. ComEd remains committed to working with the Commission's Staff to make the required filing as efficiently as possible.